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COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983

JOHNSON, ERIC LANE

(Last) (First) (Initial)

Prisoner Number 1224749

Institutional Address SAN MATEO CO. JAIL

RECEIVED 7/16/08

SAN MATEO CO. JAIL - FACILITY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAMMC
3430(PR)

(Enter the full name of plaintiff in this action.)

vs.

Case No. E08-018-01
(To be provided by the clerk of court)COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
42 U.S.C §§ 1983

(Enter the full name of the defendant(s) in this action)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement SAN MATEO CO. JAIL

B. Is there a grievance procedure in this institution?

YES () NO (X)

C. Did you present the facts in your complaint for review through the grievance procedure?

YES () NO (X)

D. If your answer is YES, list the appeal number and the date and result of the appeal at

COMPLAINT

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each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal LINES 1 THROUGH 4 DOES NOT
APPLY TO THIS MATTER, THIS
ISSUE APPLIES TO AN OUTSIDE
AGENCY.

2. First formal level

3. Second formal level

4. Third formal level

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ()

NO (X)

BECAUSE IT DIDN'T APPLY.

F. If you did not present your claim for review through the grievance procedure, explain

why. BECAUSE THIS ISSUE IS WITH THE
EAST PALO ALTO POLICE DEPARTMENT

II. Parties

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

ERIC JOHNSON #285749
300 BRADFORD ST.
REDWOOD CITY, CA 94063

B. Write the full name of each defendant, his or her official position, and his or her place of

#2124 employment.

SHREVE, KALB - EAST PALO ALTO POLICE DEPT.
#2106
JEFF, LILU - EAST PALO ALTO POLICE DEPT.

III. Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

ON APRIL 7, 2008 IN EAST TALL ALTO CO., I WAS AWAKENED AT APPROXIMATELY 10:00 AM WHILE SLEEPING IN MY VAN PARKED IN FRONT OF A FRIEND'S HOUSE BY OFFICER DETECTIVE JEFF, LILL (RANGE # 2106), OFFICER STEPHEN, KALB (RANGE # 2124) AND OTHER OFFICERS OF THE EAST TALL ALTO POLICE DEPARTMENT. I WAS TOLD TO EXIT MY VAN WITH GUNS DRAWN ON ME, I WAS QUESTIONED, MY READ MY RIGHTS, IMMEDIATELY PLACED IN CUFFS THEN IN A POLICE CAR WHILE WATCHING MY VAN BEING TAKEN AWAY. I WAS THEN "RUSHED" TO THE EAST TALL ALTO SUB STATION.

IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

I WOULD LIKE FOR THE COURTS TO MAKE SURE THAT I AM COMPENSATED FOR THE # OF HOURS I'M FALSLY IMPRISONED FOR, MY MENTAL ANGUISH/STRESS, THE AMOUNT I PAID FOR

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III
CONT.

STATEMENT OF CLAIM*

WHERE I WAS QUESTIONED BY OFFICER JEFF, LILI (RANGE #2106) ABOUT MY WHEREABOUTS ON THE NIGHT OF 4-7-08 BUT BEFORE I ANSWERED ANY QUESTIONS I ASKED HIM WHY LONG I WERE UP & BROUGHT HERE FOR, HE INFORMED ME THAT THERE HAD BEEN A SHOOTING & THAT I SUPPOSED TO HAD BEEN THE SHOOTER AND THE PERSON WHO HAD SHOT A PERSON THAT GOT SHOT THE PREVIOUS NIGHT.

I TOLD HIM WHERE I WAS AT THE TIME OF THE SHOOTING WHICH WAS NOWHERE NEAR WHERE THE SHOOTING OCCURRED, THEY NEVER FOUND A GUN IN MY OR IN MY VEHICLE AND AFTER BEING INTERVIEWED I WAS THEN TESTED FOR (U.S.R.) BY OFFICER STEPHEN KALB (RANGE #2124) THAT'S WHEN I JUST KNEW I WAS GOING TO BE RELEASED BECAUSE I DON'T & CAN'T AND HAVE NEVER OWNED A GUN. LET ALONE BEING THE PERSON RESPONSIBLE FOR THIS SHOOTING THEY WERE RESPECTING THE ACCUS. BUT

INSTEAD OF ME BEING RELEASED I WAS CHARGED FOR "ATTEMPTED MURDER" AND BOOKED IN

R.N.C. CO. JAIL WITHOUT BAIL, I'VE BEEN IN CONFINEMENT EVER SINCE.

ALL I WANT IS TO BE RELEASED BECAUSE I'M NOT THIS VIOLENT CRIME & NOT BEING THE PERSON WHO DID THIS, THE CASE WAS "OPENED" ON 6-24-08

ON 6-25-08 THE VERY NEXT DAY, THE CASE WAS

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CONT.

STATEMENT OF CLAIM:
REFILED, I WAS RE-BOOKED ON THE SAME
EXACT CHARGES AND NOW I WAIT MORE
COURT DATES ON THE SAME FALSE CHARGES.

1 MY VAH (\$1200.00) WHICH HAS BEEN IMPROVED
2 DUE TO ME BEING ILLEGALLY IMPRISONED AND I'M
3 LIKE TO FOR MY CHILDREN TO KNOW THAT I'M NOT WHO THE
4 NEWSPAPER SAID I WAS I WANT THAT BEIN BACK WITH MY
KIDS

Signed this 7th day of July, 2008

Cec Johnson

(Plaintiff's signature)



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RICHARD W. WIEHING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

*Rec'd
Att: Clerk*

*% United District Court
450 Deloken Gate Ave. Box 36063
San Francisco, Ca. 94102*

